

Senate Bill No. 2078

Passed the Senate August 31, 2000

Secretary of the Senate

Passed the Assembly August 30, 2000

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2000, at _____ o'clock ____M.

Private Secretary of the Governor

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CHAPTER _____

An act to amend Section 52616.17 of, and to add Section 52616.26 to, the Education Code, relating to adult education.

LEGISLATIVE COUNSEL'S DIGEST

SB 2078, Karnette. Adult education.

Existing law requires the Superintendent of Public Instruction to determine an authorized limit of adult education average daily attendance for all high school districts and unified school districts that operated and claimed adult education state apportionments for the 1992–93 fiscal year. Existing law provides that for the 1996–97 fiscal year, and each fiscal year thereafter, a school district's adult education average daily attendance for apportionment purposes shall be its authorized adult education average daily attendance for the prior fiscal year multiplied by 1.025.

This bill would provide that, commencing in the 2000–01 fiscal year, and each fiscal year thereafter, statewide authorized adult education average daily attendance for the prior fiscal year shall be increased each fiscal year by 2.5%. The bill would provide that the increased statewide authorized adult education average daily attendance be allocated annually by the Superintendent of Public Instruction so that school districts operating adult education programs with fewer than 100 units of authorized adult education average daily attendance in the prior fiscal year, that served or exceeded their adult education average daily attendance authorized limit in the second prior fiscal year, would receive up to 30 additional units of authorized adult education average daily attendance.

The people of the State of California do enact as follows:

SECTION 1. Section 52616.17 of the Education Code is amended to read:



52616.17. Commencing July 1, 1993, the Superintendent of Public Instruction shall determine an authorized limit of adult education average daily attendance for all high school districts and unified school districts that operated and claimed adult education state apportionment for the 1992–93 fiscal year, as follows:

(a) For the 1993–94 fiscal year, the district’s authorized adult education average daily attendance shall be one of the following:

(1) The district’s adult education average daily attendance added to the district’s average daily attendance for concurrently enrolled high school pupils in adult education programs that was certified for the annual principal apportionment report and for which state apportionment for the 1991–92 fiscal year was received.

(2) If the district’s average daily attendance for concurrently enrolled high school pupils in adult education used in paragraph (1) exceeds 10 percent of the district’s total average daily attendance for all pupils in grades 9 to 12, inclusive, for the same reporting period, the district’s authorized adult education average daily attendance pursuant to paragraph (1) shall be reduced by multiplying the amount of certified average daily attendance for concurrently enrolled high school pupils in adult education that exceeds 10 percent by 0.33 and subtracting that amount from the district’s authorized adult education average daily attendance pursuant to paragraph (1).

(3) For a school district offering adult education courses and classes pursuant to Section 41976.2, add to the amount calculated pursuant to paragraph (1) or (2) the number of units of average daily attendance claimed by that district for the second principal apportionment made in the 1991–92 fiscal year for independent study pupils 21 years of age or older and pupils 19 years of age or older who have not been continuously enrolled in kindergarten or any of the grades 1 to 12, inclusive, since their 18th birthday, as calculated pursuant to Section 46300.1, as that section read on January 1, 1992.



(b) For the 1994–95 fiscal year, the district's authorized adult education average daily attendance shall be one of the following:

(1) The district's adult education average daily attendance added to the district's average daily attendance for concurrently enrolled high school pupils in adult education programs that was certified for the annual principal apportionment report and for which state apportionment for the 1991–92 fiscal year was received.

(2) If the district's average daily attendance for concurrently enrolled high school pupils in adult education used in paragraph (1) exceeds 10 percent of the district's total average daily attendance for all pupils in grades 9 to 12, inclusive, for the same reporting period, the district's authorized adult education average daily attendance pursuant to paragraph (1) shall be reduced by multiplying the amount of certified average daily attendance for concurrently enrolled high school pupils in adult education that exceeds 10 percent by 0.67 and subtracting that amount from the district's authorized adult education average daily attendance pursuant to paragraph (1).

(3) For a school district offering adult education courses and classes pursuant to Section 41976.2, add to the amount calculated pursuant to paragraph (1) or (2) the number of units of average daily attendance claimed by that district for the second principal apportionment made in the 1991–92 fiscal year for independent study pupils 21 years of age or older and pupils 19 years of age or older who have not been continuously enrolled in kindergarten or any of the grades 1 to 12, inclusive, since their 18th birthday, as calculated pursuant to Section 46300.1, as that section read on January 1, 1992.

(c) For the 1995–96 fiscal year, the district's authorized adult education average day attendance shall be one of the following:

(1) The district's adult education average daily attendance added to the district's average daily attendance for concurrently enrolled high school pupils



in adult education programs that was certified for the annual principal apportionment report and for which the state apportionment for the 1991–92 fiscal year was received.

(2) If the district's average daily attendance for concurrently enrolled high school pupils in adult education used in paragraph (1) exceeds 10 percent of the district's total average daily attendance for all pupils in grades 9 to 12, inclusive, for the same reporting period, the district's authorized adult education average daily attendance pursuant to paragraph (1) shall be reduced by multiplying the amount of certified average daily attendance for concurrently enrolled high school pupils in adult education that exceeds 10 percent by 1.00 and subtracting that amount from the district's authorized adult education average daily attendance pursuant to paragraph (1).

(3) For a school district offering adult education courses and classes pursuant to Section 41976.2, add to the amount calculated pursuant to paragraph (1) or (2), whichever is applicable, the number of units of average daily attendance claimed by the district for the second principal apportionment for the 1991–92 fiscal year for independent study pupils 21 years of age and older and pupils 19 years of age or older who have not been continuously enrolled in kindergarten, or any of grades 1 to 12, inclusive, since their 18th birthday, as calculated pursuant to Section 46300.1, as that section read on January 1, 1992.

(d) For the 1996–97, 1997–98, 1998–99, and 1999–2000 fiscal years, a school district's adult education average daily attendance for apportionment purposes shall be its authorized adult education average daily attendance for the prior fiscal year multiplied by 1.025.

(e) For the 2000–01 fiscal year, and each fiscal year thereafter, a school district's adult education average daily attendance for apportionment purposes shall be its authorized adult education average daily attendance for the prior fiscal year increased as calculated pursuant to Section 52616.26.



(f) Commencing July 1, 1996, a school district shall not certify for apportionment purposes, that portion of any average daily attendance in adult education programs generated by pupils who are concurrently enrolled for apportionment purposes in high school that exceeds 10 percent of the district's average daily attendance for all pupils in grades 9 to 12, inclusive, for the same reporting period.

(g) It is the intent of the Legislature that, commencing July 1, 1993, each school district that conducted programs in the 1991–92 fiscal year through independent study for pupils 21 years of age or older and pupils 19 years of age or older who have not been continuously enrolled in kindergarten or any of grades 1 to 12, inclusive, since their 18th birthday, as calculated pursuant to Section 46300.1, as that section read on January 1, 1992, continue to serve at least the same number of units of average daily attendance through adult education for high school diploma programs in all subsequent years as were funded through those independent study programs in the 1991–92 fiscal year, unless the school district governing board determines that meeting this service requirement would incur costs in excess of the revenue received.

SEC. 2. Section 52616.26 is added to the Education Code, to read:

52616.26. (a) Commencing in the 2000–01 fiscal year, and each fiscal year thereafter, statewide authorized adult education average daily attendance for the prior fiscal year shall be increased each fiscal year by 2.5 percent.

(b) The increased statewide authorized adult education average daily attendance provided pursuant to subdivision (a) shall be allocated annually by the Superintendent of Public Instruction as follows:

(1) For school districts operating adult education programs with fewer than 100 units of authorized adult education average daily attendance in the prior fiscal year, authorized adult education average daily attendance shall be calculated as follows:



(A) If the district served or exceeded its adult education average daily attendance authorized limit in the second prior fiscal year, the district shall receive up to 30 additional units of authorized adult education average daily attendance.

(B) If the district failed to serve its adult education average daily attendance authorized limit in the second prior fiscal year, the district shall receive no additional authorized adult education average daily attendance.

(2) For school districts operating adult education programs with 100 or more units of authorized adult education average daily attendance in the prior fiscal year, authorized adult education average daily attendance shall be calculated as follows:

(A) If the district served or exceeded its adult education average daily attendance authorized limit in the second prior fiscal year, its authorized limit for the current fiscal year shall be increased by a number of units of adult education average daily attendance equal to the authorized adult education average daily attendance for the prior fiscal year multiplied by 2 percent.

(B) If the district failed to serve its adult education average daily attendance authorized limit in the second prior fiscal year, the district shall receive no additional authorized adult education average daily attendance for the current fiscal year.

(c) From the statewide authorized adult education average daily attendance provided pursuant to subdivision (a), the Superintendent of Public Instruction shall first allocate authorized adult education average daily attendance pursuant to subdivision (b). Any remaining authorized adult education average daily attendance shall be allocated on an application basis to school districts described in subparagraph (A) of paragraph (2) of subdivision (b) that have an authorized limit of adult education average daily attendance that is less than the statewide average when measured in proportion to the average daily attendance in grades 9 to 12, inclusive, in the district.

Approved _____, 2000

Governor

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